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AUG 30 2005

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FACSIMILE TRANSMITTAL SHEET

CONFIDENTIAL NOTE: The information contained on this facsimile (FAX) message is legally privileged and confidential information intended only for the use of the receiver or firm named below. If the reader of this message is not the intended receiver, you are hereby notified that any dissemination, distribution or copy of this FAX is strictly prohibited. If you have received this FAX in error, please immediately notify the sender at the telephone number provided above (collect) and return the original message to the sender at the address above via the United States Postal Service. Thank you.

To Examiner Heather Anne Doty
USPTO

From Jay Beyer
Pritzkau Patent Group

Number of Pages (including cover) 5

Date Sent August 30, 2005

Fax #: 571-273-8300

Message

Response to Office Action

Examiner Daniel L. Negron,

Please enter the following documents into the file for application serial number 10/665,267. The following documents include:

Fax cover sheet	1 page
Response Transmittal (in duplicate)	2 pages
Response to Restriction Requirement	<u>2 pages</u>

Total Pages 5 pages

If there are any questions regarding this fax, please call Jay Beyer at 303-499-3859.

Sincerely,

Jay Beyer

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Rene George et al.

Serial No: 10/665,267

Filed: September 17, 2003

For: PHOTORESIST IMPLANT CRUST
REMOVAL

Examiner: Heather Anne Doty

Art Unit: 2813

Attorney Docket: MAT-4

Date: August 30, 2005

CERTIFICATE OF ELECTRONIC TRANSFER I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office on August 30, 2005.

Signed: 

Jay R Beyer

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR: Transmitted herewith is an Amendment for the above application.

- ☒ Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established
☒ No additional fee is required.
☐ Postcard included

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY		NON- SMALL ENTITY	
	Claims Remaining		Previously Paid For	Rate	Additional Fee	Rate	Additional Fee
Total Claims	* 80	Minus	**80	x 25	\$ 0	x 50	\$
Indep. Claims	*14	Minus	***14	x 100	\$ 0	x 200	\$
First Presentation of Multiple Dependent Claim(s)				+180	\$ 0	+360	\$
* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.				Total	\$ 0	Total	\$

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

Applicant(s) hereby Petition(s) for an Extension of Time of _____ month(s) pursuant to 37 C.F.R. § 1.136(a).
 Enclosed please find PTO form PTO-2038 authorizing credit card payment of \$_____ to cover the Small Entity Additional Claim fee.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1685 (Order No. MAT-4) (a duplicate copy of this sheet is enclosed):

- ☒ Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of extra claims.
☒ Any extension or petition fees under 37 C.F.R. § 1.17.

Respectfully submitted,



Jay R Beyer

Registration No. 39,907

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re the application of

Rene George et al.

Serial No: 10/665,267

Filed: September 17, 2003

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	Claims Remaining	Previously Paid For	Present Extra	Rate	Additional Fee
Total Claims	* 80	Minus **80	0	x 25	\$ 0
Indep. Claims	*14	Minus ***14	0	x 100	\$ 0
First Presentation of Multiple Dependent Claim(s)				+180	\$ 0
<p>* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3. ** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space. *** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.</p>				Total	\$ 0

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RESPONSE TO RESTRICTION REQUIREMENT WITH REQUEST FOR RECONSIDERATION

Dear Sir:

The following remarks are intended as a full and complete response to the outstanding Office Action dated (mailed) August 2, 2005.

MAT-4

1

USSN 10/665,267

REMARKS

The claims have been restricted into species I -VI, wherein:

Species I includes claims 1-36, 75 and 76;

Species II includes claims 37-66 and 77-80;

Species III includes claims 67 and 68; and

Species IV includes claims 69-74.

Applicant hereby provisionally elects Species I, claims 1-36, 75 and 76 with traverse.

REQUEST FOR RECONSIDERATION

Initially, it is noted that species I and III include subject matter which overlaps. For example, claim 4 of Species I, like claim 67 of species III, is directed to a plasma including at least one of CH_2 radicals and CH_3 radicals. Moreover, both Species I and III are directed to a plasma that is essentially free of halogens. Hence, Applicants believe that an overlapping search of Species I and III can readily be performed without undue burden on the Examiner. For at least these reasons, it is respectfully requested that Species III be rejoined for examination.

Further, Species I and II encompass a scope which covers plasmas that are essentially free of halogens and use a hydrogen containing gas in combination with oxygen. Hence, it is respectfully submitted that the claims of groups I and II contain subject matter which overlaps, requiring the Examiner to at least make an overlapping search. Accordingly, such a search should not place an undue burden on the Examiner. For at least this reason, it is respectfully requested that the claims of Species II be rejoined for examination.

Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the Examiner is requested to contact the undersigned.

Respectfully submitted,



Michael M. Pritzkau
Reg. No. 37,913